

**COLORADO RIVER RECOVERY PROGRAM
FY-2006/07 PROPOSED SCOPE OF WORK for:
Colorado's Instream Flow Protection**

Project #: 70

Lead Agency: Colorado Water Conservation Board
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Category:

- ☒ Ongoing project
- ☐ Ongoing-revised project
- ☐ Requested new project
- ☐ Unsolicited proposal

Expected Funding Source:

- ☐ Annual funds
- ☐ Capital funds
- ☒ Other (in-kind services)

I. Title of Proposal: Colorado's Instream Flow Protection

II. Relationship to RIPRAP:

Yampa and Little Snake Rivers: I.B.3.d, I.C.3.d, I.D.2.d
White River: I.C, I.D.4, I.E.1
Colorado Mainstem: I.A.5 [a,b,c,d,h,m], I.B.2, I.B.3.[a,d], I.B.4.[a,b]
Gunnison River: I.B.4, I.C.1.a, I.C.2

III. Study Background/Rationale and Hypotheses:

To comply with the Recovery Implementation Program for Endangered Species in the Upper Colorado River Basin through protection of instream flows.

IV. Study Goals, Objectives, End Product:

The study objective, goal and end product of the CWCB efforts are to protect instream flows for the benefit of the endangered fish.

V. Study area: State of Colorado, Upper Colorado River Basin

VI. Study Methods/Approach:

Changes to the existing instream flow filings (Case Nos. 5-95CW296 & 595CW297 on the Colorado River, and Case Nos. 6-95CW155 & 6-95CW156 on the Yampa River) occurred at the January and May 1999 CWCB meetings. As a result of concerns

expressed by the Service and other Program participants, the CWCB withdrew the baseflow and recovery flow instream flow filings on the Colorado and Yampa rivers. The Colorado Division of Wildlife staff has been instructed to develop new flow recommendations. While the CDOW has developed a 2D modeling process for determining flow recommendations on larger streams with warmer water native fisheries, the procedure has not been accepted by either the UCRRIP or CWCB. Until the new flow recommendations are submitted and approved, the CWCB will continue to review instream flow protection activities, performance of the 15-Mile Reach PBO and reporting requirements, and review and revise existing flow recommendations through the adaptive management process to better determine the actual instream flow protection needs. In particular, the CWCB will 1) continue to assist with the enlargement of Elkhead Reservoir, and 2) implement the water depletion accounting described in Appendix B of the 15-Mile Reach PBO, primarily through the CRDSS workplan, and supplement those activities through this effort as appropriate.

VII. Task Description and Schedule:

The CWCB staff will continue to work with the Attorney General's Office, Board Members, Colorado Division of Wildlife, USFWS and Recovery Program participants to stay current with Recovery Program needs. Future filings on the Colorado and Yampa rivers will not be pursued until the new process developed by the CDOW for the determination of instream flow needs has been accepted by the Recovery Program and CWCB and new recommendations based on that process provided. Furthermore, the need for future filings will be based on the success of the activities identified in the 15-Mile Reach PBO and the adaptive management process. The following task descriptions are provided for the river basins originally scheduled to have flow recommendations determined and instream flow water rights filed for.

A. Colorado River

The Board and Division staffs will work closely to develop recommendations for base flows on the Colorado River. End products such as scientific review and Notices of Intent to Appropriate for the Colorado River mainstem from Rifle to the Roller Dam and Roller Dam to the 15-Mile Reach are on hold until new flow recommendations are developed by the CDOW and approved by the Recovery Program and CWCB. The CWCB will continue to participate in providing and protecting water to the 15-Mile Reach through contract deliveries from several upstream reservoirs and under existing instream flow water rights.

B. Yampa River below Little Snake River

The study objectives, goals and end products of Board and Division staff efforts on the Yampa River are to review the existing flow recommendations and possibly obtain water right decrees for instream flows. Board staff will continue to work with the Attorney General's Office, Board Members, Colorado Division of Wildlife, USF&WS, and Recovery Program participants. Specific instream flow filings are on hold until new flow recommendations are developed and the Recovery Program and CWCB

approve such. The CWCB's involvement with the Yampa Management Plan and the enlargement of Elkhead Reservoir will continue until the enlargement is completed and the donation of the 5,000 acre-feet for endangered fish purposes is completed.

C. Little Snake River

The study objectives, goals and end products of Board and Division staff efforts on the Little Snake River are to develop flow recommendations as necessary and obtain water right decrees for instream flow purposes, as the Recovery Program deems appropriate. Board staff will continue to work with the Attorney General's Office, Board Members, Colorado Division of Wildlife, USF&WS, and Recovery Program participants. Specific actions are on hold until the CDOW staff develops flow recommendations and the Recovery Program and CWCB approve such flow recommendations. Recommendations for the Little Snake River will be incorporated into the Yampa Management Plan as appropriate.

D. Gunnison River

Board staff will continue to participate in the Aspinall Re-operations EIS process investigating the ability of the Aspinall Unit to assist in providing flows for the endangered fish while meeting the Congressionally authorized purposes of the Aspinall Unit.

E. White River

The study objectives, goals and end products of Board and Division staff on the White River are to develop flow recommendations and possibly obtain water right decrees for instream flows. Board staff will continue to work with the Attorney General's Office, Board Members, Colorado Division of Wildlife, USF&WS, and Recovery Program participants. Specific actions are on hold until new flow recommendations are developed and the Recovery Program and CWCB approve such flow recommendations.

F.

The CWCB will monitor issues related to the 15-Mile Reach PBO and address those issues for which it has specific responsibility, including specific activities associated with the water depletion accounting described in Appendix B, as appropriate under this workplan.

VIII. FY-2006 Work:

CDOW completed its extensive fieldwork and modeling efforts on the Colorado and Yampa rivers as part of their task to develop new methods for instream flow recommendations for the endangered fish. CDOW is conducting extensive fish sampling, population estimation and habitat investigation and modeling efforts on the Gunnison River. CWCB staff will continue to work with the CDOW on the development of new instream flow recommendation methods and the revision of existing instream flow recommendations as appropriate.

The CWCB will also focus primarily on issues associated with the enlargement of Elkhead Reservoir and issues related to the water depletion accounting for the 15-Mile Reach as described in Appendix B of the PBO. The CDOW and CWCB will also continue the development of the 2D modeling process for making instream flow recommendations on the larger warm water rivers in Colorado.

CWCB¹

Colorado River	\$ 2,000
Yampa	\$ 5,000
Little Snake River	\$ 1,000
Gunnison	\$ 5,000
White	\$ 2,000
<u>15-Mile Reach PBO</u>	<u>\$ 5,000</u>
	\$20,000

TOTAL: \$20,000 (in-kind services for FY 2006)

FY-2007 Work:

The CWCB will continue their work on the Colorado, Yampa, Gunnison and White Rivers and on the 15-Mile Reach PBO as discussed in section VII above. One primary focus will remain the enlargement of Elkhead Reservoir.

¹ Includes Attorney General's funding in CWCB Budget

CWCB²

Colorado River	\$ 1,000
Yampa	\$ 4,000
Little Snake River	\$ 1,000
Gunnison	\$ 4,000
White	\$ 2,000
15-Mile Reach PBO	\$ 3,000
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	\$15,000

TOTAL: \$15,000 (in-kind services for FY 2007)

The extensive work being performed by the CDOW is not included in this estimate of CWCB in-kind services.

IX. Budget Summary:

Because the CWCB and CDOW will be working on the flow recommendation issue, the cost estimates provided in this Scope of Work may need revision as plans begin to develop.

FY-2005	\$20,000
FY-2006	\$15,000

X. Reviewers:

Not Applicable

XI. References:

Not Applicable

² Includes Attorney General's funding in CWCB Budget